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THE QUESTION OF CONSCIENTIOUS OBJECTION TO MILITARY SERVICE

Written statement submitted by Pax Christi International, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[5 March 1997]

GE.97-10925 (E)

Conscientious objection to military service

1. In the wake of the Second World War, the most destructive war of the ages, the United Nations was founded and shortly thereafter, the Universal Declaration of Human Rights was adopted. The Declaration, a mighty step forward for humankind, asserted that "Everyone has the right to freedom of thought, conscience and religion ... ".

2. The right of conscience needed reassertion after the experience of a war in which human beings, in particular the young, were dragooned into military service against their will and even involved in "services", such as those in concentration camps, that were part of larger war crimes. Conscientious objectors suffered imprisonment and even death.

3. Article 18 of the Universal Declaration and article 18 of the International Covenant on Civil and Political Rights protect the rights of conscience, included in which is the right of conscientious objection to military service, the right to refuse to kill.

4. Pax Christi International warmly welcomes the concern of the Commission on Human Rights for the right of conscientious objection to military service. The updated emendations to the report entitled Conscientious Objection to Military Service by Mr. Asbjorn Eide and Mr. C.L.C. Mubaga Chipoya indicate that the right is gaining acceptance by some Member States, but is not yet recognized in others.

5. At its fifty first session, the Commission adopted resolution 1995/83 which addressed many of the outstanding aspects related to the issue of conscientious objection.

6. Pax Christi wishes to emphasize some aspects of the issue. There are various paths leading to a person's conviction of conscientious objection to the taking of human life in warfare. Members of the Catholic Church who reach this conviction base it on the example of Christ who accepted suffering without retaliation and left this as a legacy to his followers.

(a) The consciences of those who espouse complete non-violence should be respected;

(b) The consciences of those who believe in the possibility of a just war, but who are convinced that the war in which they are asked to serve is unjust in aim or method, should be respected. The Catholic bishops of the world, at the Second Vatican Council, upheld the right of both types of objectors in the official document, "The Church in the Modern World" (7 December 1965). The bishops explicitly condemned indiscriminate warfare as "a crime against God and man";

(c) Objectors to military service should be accorded alternative civilian service under civilian supervision. Civilian alternative service should not be of longer duration than the term of military service;

(d) Conscientious objectors who reach their position during military service should be released to alternative service;

(e) Persons recognized by the Government as conscientious objectors should, when qualified, be eligible for works of peace in such agencies as UNHCR, UNICEF, UNEP, etc.;

(f) Those objectors who are compelled to leave their country of origin because of their refusal to perform military service should be aided in achieving asylum;

(g) All efforts should be made on behalf of conscientious objectors imprisoned because of their conviction;

(h) All efforts should be undertaken by the international community on behalf of child soldiers, many thousands of whom are impressed into military service. Where universal military conscription is in force, the minimum age for conscription should be 18. Even where conscription is not in force, the minimum age for military service should be 18;

(i) Governments which enforce conscription should be urged to provide alternative civilian service which is not punitive.

7. Pax Christi offers its help and cooperation in any updating of the report on conscientious objection. Pax Christi welcomes the fact that new and creative ways have been developed so that conscientious objectors may serve their societies, and the human community, in meeting unmet human needs.

8. The discussion of the right to conscientious objection to military service would seem to represent a negative response to governmental programmes. Conscientious objection needs to be seen in its reality as a conscientious affirmation of the value of human life and of service to human needs. Young people who have achieved conscientious objector status are performing socially important human services in may communities in many countries. In their refusal to be part of the enterprise of war, they are implementing the United Nations aim of a warless world and are serving as a prophetic vanguard of world peace.